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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,310	08/06/2001	Charles Han	000004	3087

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Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
San Diego, CA 92121-1714

EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/12/2004

#5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/924,310

Applicant(s)

HAN ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10-14 and 16-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Foladare et al. (U.S. Patent No. 5,978,671).

Regarding claim 1, Foladare teaches receiving an incoming call from a first telephone number (fig.1, 2; col.5, lines 40-42).

Foladare further teaches incrementing a value (i.e., variable) indicating a number of calls received from the first telephone number (fig.2; col.5, lines 40-42, col.6, lines 38-47).

Foladare further teaches prompting a subscriber (i.e., user) to enter (i.e., save) the first telephone number when the value is equal to or greater than a threshold number (fig.2; col.4, lines 38-43, col.6, lines 24-34, 38-47). (Note: since the alphanumeric identifier includes the ANI information, it is clear that the subscriber is entering the telephone number of the caller)

Foladare further teaches storing the first telephone number in a database (i.e., address book) (col.6, lines 31-34).

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Regarding claim 2, Foladare teaches audibly prompting the subscriber (col.6, lines 16-19, 38-41). (Note: audibly prompting is inherent here)

Regarding claims 3, 8 and 14, Foladare teaches that prompting step comprises presenting text on a display 22 (i.e., LCD display) (fig.1; col.4, lines 63-66).

Regarding claims 4 and 21, Foladare teaches that the threshold number is set by a manufacturer (col.8, lines 49-52). (Note: Since, the number of calls can be fixed in the system, it is clearly refers to the threshold number that is set by a manufacturer)

Regarding claims 5 and 22, Foladare teaches that the threshold number is set by the subscriber (col.8, lines 49-52).

Regarding claims 6 and 24, Foladare teaches prompting (i.e., asking) the subscriber to record a spoken word (i.e., voice tag) corresponding to the first telephone number (col.4, lines 38-43, col.6, lines 16-19, 38-41). (Note: since the alphanumeric identifier includes the ANI information, spoken word, it is clear that the spoken word is corresponding to the telephone number)

Regarding claim 7, Foladare teaches audibly prompting (i.e., asking) the subscriber (col.6, lines 16-19, 38-41). (Note: audibly is inherent here)

Regarding claims 10 and 16, Foladare teaches receiving the voice tag corresponding to the first telephone number (fig.2; col.4, lines 38-43, col.6, lines 16-19, 38-41).

Regarding claim 11, Foladare teaches matching (i.e., comparing) the voice tag to a quality parameter (col.7, lines 5-10, 33-38). (Note: quality parameter is inherent here)

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Regarding claims 12 and 28, Foladare teaches prompting (i.e., making a request) to the subscriber (i.e., user) to enter (i.e., record) the voice tag in a different location (col.6, lines 31-34).

Regarding claim 13, Foladare teaches prompting (i.e., making a request) audibly (col.6, lines 16-19, 38-41). (Note: audibly is inherent here)

Regarding claim 17, Foladare teaches saving the voice tag (col.6, lines 31-33).

Regarding claim 18, Foladare teaches a receiver configured to receive an incoming call from a first telephone number (fig. 1, 2; col.5, lines 40-42).

Foladare further teaches a processor (i.e., CPU) configured to increment a value (i.e., variable) indicating a number of calls received from the first telephone number (fig.2; col.4, lines 29-37, col.5, lines 40-42, col.6, lines 38-47).

Foladare further teaches a user interface adapter configured to prompt a subscriber (i.e., user) to enter (i.e., save) the first telephone number when the value is equal to or greater than a threshold number (fig.1, 2; col.4, lines 38-43, col.6, lines 24-34, 38-47). (Note: since the alphanumeric identifier includes the ANI information, it is clear that the subscriber is entering the telephone number of the caller)

Foladare further teaches a database (i.e., memory) module configured to store the first telephone number in a database (i.e., address book) (col.6, lines 31-34).

Regarding claim 23, Foladare teaches that the database module is further configured to store a voice tag corresponding to the first telephone number (col.4, lines 38-43, col.6, lines 16-19, 38-41).

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Regarding claim 25, Foladare teaches a microphone configured to receive the voice tag corresponding to the first telephone number (fig.2; col.4, lines 38-43, col.6, lines 16-19, 38-41). (Note: microphone is inherent here)

Regarding claim 26, Foladare teaches that the processor (i.e., CPU) is further configured to save the voice tag corresponding to the first telephone number (col.4, lines 29-37, col.6, lines 31-33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Patent No. 5,978,671) and in view of Brady (U.S. Patent No. 5,982,857).

Regarding claims 9 and 15, Foladare teaches saving the voice tag corresponding to the first telephone number (col.6, lines 31-33).

However, Foladare fails to teach "saving said voice tag corresponding to said first telephone number in a voice tag file". Brady teaches saving said voice tag corresponding to the first telephone number in a voice tag file (fig.3; col.4, lines 50, 51, col.5, lines 2-11). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Foladare to allow saving the voice tag corresponding to the first telephone number in a voice tag file as taught by Brady. The motivation for the

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modification is to have doing so in order to provide the voice file to store call specific information.

5. Claims 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Foladare et al. (U.S. Patent No. 5,978,671) and in view of Chan et al. (U.S. Patent No. 5,912,949).

Regarding claim 29, Foladare teaches receiving a spoken word (i.e., voice tag) corresponding to a first telephone number, the spoken word having a recording quality (fig.2; col.5, lines 40-42, col.6, lines 61-64). (Note: the recording quality is inherent here)

Foladare further teaches storing (i.e., saving) the spoken word (col.6, lines 31-34, col.7, lines 33-38).

However, it is not clear whether Foladare teaches “comparing the recording quality to a quality parameter”. Chan teaches matching (i.e., comparing) the speech input (i.e., recording quality) to a recorded speech (i.e., quality parameter) (fig.1; col.4, lines 43-67, col.5, lines 1-14, 31-35). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Foladare to allow comparing the recording quality to a quality parameter as taught by Chan. The motivation for the modification is to have doing so in order to determine the best match of the spoken name to retrieve the telephone number from the directory.

It is also not clear whether Foladare teaches “prompting a user to re-record said voice tag when said recording quality does not satisfy said quality parameter”. Chan teaches instructing (i.e., prompting) a user to speak again (i.e., re-record) the initials corresponding to the first and last names (i.e., voice tag) when there is misspoken of the dialing information (i.e., the recording quality does not satisfy the quality parameter)

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(fig.1; col.4, line 66-col.5, line 7). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Foladare to allow prompting a user to re-record the voice tag when the recording quality does not satisfy the quality parameter as taught by Chan. The motivation for the modification is to have doing so in order to determine the correct name as well as corresponding phone number from the directory for dialing.

Regarding claims 30-32, 34 and 35 are rejected for the same reasons as discussed above with respect to claims 2, 3, 1, 7 and 8 simultaneously.

Regarding claim 33, Foladare teaches prompting (i.e., asking) the caller (i.e., user) to utilize a voice dialing feature (fig.2; col.5, lines 40-42, col.6, lines 61-64). (Note: the caller uses spoken word to call the subscriber, the voice dialing feature is inherent here).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Will (U.S. Patent No. 6,167,117) teach Voice-dialing system using model of calling behavior, Frain (U.S. Patent No. 5,398,279) teach Telephone apparatus with calling line identification and Maquaire et al. (U.S. Pub. No. 2002/0107049) teach Audible caller identification for mobile communication device.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE

August 9, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written in a cursive style.